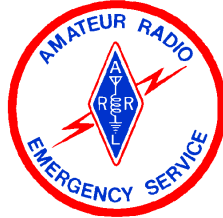


ROBERT A. RICE, KG4RRN
1101 PINE HILL ROAD
McLean, Virginia 22101



(email: kg4rrn@yahoo.com)

July 22, 2005

Marlene H. Dortch, Secretary
Federal Communications Commission
455 12th Street SW
Washington, D.C. 20012

Reference : Public Comment Regarding FCC WT Docket 05-235

TO THE COMMISSION:
INTRODUCTION

After reading the findings of the Commission, regarding the proposals by various amateur Groups and associations' regarding the re-structuring of **PART 97** (Amateur Service) of which many petitions have been submitted and reviewed by the Commission.

These are my personal comments on the **Notice Of Proposed Rulemaking from WT-05-235**, within the comment period (60 days) allowed by the Commission.

PERSONAL REACTION TO COMMISSIONS FINDINGS:

- 1) I am saddened to learn that the Commission, in all its' wisdom, does not feel that continuing **Morse Code Telegraphy** should be a required testing parameter in order to license a General or Extra Class License.
 - 1a) The history behind Morse Code is genuine and far-reaching in terms of its' success of this countries' heritage, during both peacetime and war, since the 1800's.
 - 2) Sending(transmitting) Morse code requires a minimum of RF wattage to send and receive a message which can life-saving in time of need, when voice or digital communications cannot

travel the vast distances sometimes needed for rescue and response from a far-away area, to a city or urban setting.

- 3) As recently evidenced by a **Morse Code vs. Cell phone text message race**, which was televised on the **Jay Leno Show**, Morse Code won the race hands down, and actually got the message to the receiver **faster than** a modern day cell phone!

4)*****When the terrorist attacks of September 11th, 2001** occurred here in the Washington Metropolitan area, Amateur Radio operators were in fact passing emergency, and health and welfare traffic, using this mode (Morse code) of communications in regional and section traffic nets, to Virginia state Emergency Operations Centers, the Red Cross, and numerous local jurisdictions.

Although not required to utilize the code after an applicant passes a test, the proficiency of Morse code is one aspect of this hobby many new amateur operators enjoy today,

And it is because of the Commissions keeping the code requirement that they are still using it to communicate locally, regionally, and worldwide.

5) The FCC has stated the following in its' report and order of July 20th 2005, to wit:

20.FCC Quote: "Likewise, we are not persuaded by PRARL's (Puerto Rico Amateur Radio Leagues') argument that telegraphy proficiency should be required for the Amateur Extra Class License because amateur stations may provide or assist with emergency communications."

The current ruling goes on to say that The F.C.C. itself is contradicting it's own Rules, when it stated in the same paragraph, that it does not require amateur radio operators to perform emergency communications", and I wish to point out that the proof it does is written in the F.C.C.'s own rules regarding **RACES operations**.

6)In Part 97.407 -No station may transmit in RACES (Radio Amateur Civil Emergency Service), unless it is a F.C.C. Licensed Primary, Club, or Military Recreation station...

7)In Part 97.403, of the Commissions' own Rules it states that:

No provision of these Rules prevents the use by an amateur station of any means of radio communication at its' disposal to provide essential communication needs in connection with the safety of human life and the immediate protection of property when normal communication systems are not available.

Surely, by reading this **one** paragraph above, it is clear that this was meant to be interpreted as allowing use of Morse Code, to facilitate relief of human suffering and damage to property when voice and data cannot penetrate areas with no other communications (telephone, internet, digital voice) availability, it is both sanctioned and approved by the FCC.

So in the future enactment by the Commission needs to re-write Part 97, and by eliminating Morse code in the NPR-- as a general requirement,

to not request any amateur radio stations to provide emergency communications, to alleviate human suffering and protect property, because the Commission does not feel that it is required, it should also rescind these mentioned paragraphs from its Rules, before adapting the No-Code General Class, and No-Code Extra Amateur License Tests.

8)Realizing that the average median age of the country is now approaching 45 years old, and will surpass it soon, still the FCC feels that it is notable to deny the youth of our country the privilege of holding a FCC amateur radio license with Morse Code included as a requirement because by majority it feels that it is "outdated, old, and not a current (present day) mode of communications, is wrong in my opinion, and is still proven to be in fact faster than a cell phone text message to be able to transmit a message "when all else fails", - TV, AM-FM radios and telephone (cell and hard line).

In cooperation with the U.S. Department of Homeland Security since September 11th 2001, various Departments of Emergency Managements, Volunteer Fire and Rescue Departments, and served agencies, Amateur Radio operators pass messages critical to public safety.

9)RACES operators, ARES operators, and Red Cross amateur radio operators responded as first responders on 9-11-2001, because critical infrastructure and communications were overloaded, or non-existent, and amateur radio operators of all classes have demonstrated their capability to provide emergency communications during 9-11, Tsunamis, Hurricanes, and hazardous weather conditions, and they will continue to voluntarily provide these communications wherever and whenever disaster strikes.

They have won admiration for doing this, and respect of numerous government entities and organizations that provide disaster relief.

In closing, I was counting on taking the Morse Code 5 WPM test to upgrade to General class, however if the aim of the Commission is to eliminate it, I and other technician class operators I have discussed this issue with agree to await the Commission rule making to take the General test without the Code.

I hope the Commission re-considers this aspect of amateur radio communications, and does not change the rules on testing for CW - Morse Code for General and Extra Class licensees, to suit the whims of a few who wish to discount the importance of keeping the Code requirement as part of obtaining a higher class Amateur Radio License.

Regards and 73,

Robert A. Rice, KG4RRN
McLean, Virginia

Keep The Code !